



Atty. Docket No.: 38800/629

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICE FOR PROCESSING A MATERIAL WEB; METHOD FOR CONTROLLING AND ASCERTAINING THE POSITION AND/OR THE CONTACT PRESSURE OF A SONOTRODE; AND METHOD FOR MONITORING THE MATERIAL WEB MOVING IN A PROCESSING GAP**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

102 31 742.9  
(Number)

Germany  
(Country)

13/07/02  
(Day/month/year  
filed)

Yes X No      
Priority Claimed  
Under 35 U.S.C. 119

And I hereby appoint Richard L. Mayer (Registration No. 22,490) and Thomas C. Hughes (Registration No. 42,674) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

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Direct all telephone calls to Thomas C. Hughes at (212) 908-6463.

I understand and hereby acknowledge that the law firm of Kenyon & Kenyon ("K&K") represents the company to which rights in the invention have been or are being assigned and does not represent me or my interests as my attorney or otherwise (except to the extent that, in my capacity as employee or consultant, it is representing me by representing said company). Although a United States patent application is nominally filed and prosecuted in the U.S. Patent and Trademark Office in the name(s) of the inventor(s), I further understand that K&K has prepared a United States patent application relating to a [invention title] that I invented on behalf of its client, not me, and that it will conduct the prosecution of that application and of any corresponding applications on behalf of its client, not me.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature: Klaus Kubik

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